

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company to Determine Violations of Public Utilities Code Section 451, General Order 112, and Other Applicable Standards, Laws, Rules and Regulations in Connection with the San Bruno Explosion and Fire on September 9, 2010.

Investigation 12-01-007
(Filed January 12, 2012)

ORDER EXTENDING STATUTORY DEADLINE**Summary**

This decision extends the statutory deadline in this proceeding to January 12, 2016.

Background

Public Utilities (Pub. Util.) Code Section 1701.2(d) provides that adjudicatory cases shall be resolved within 12 months of the date that they are initiated unless the Commission makes findings as to why that deadline cannot be met and issues an order extending that deadline. This matter has been categorized as adjudicatory and the 12-month deadline for its resolution had been January 12, 2013. The statutory deadline for this proceeding has been

extended twice, most recently by Decision (D.) 13-10-056 to January 12, 2015.

This decision extends the statutory deadline to January 12, 2016.¹

On September 2, 2014, a Presiding Officer's Decision (POD) was issued concerning the alleged violations in this proceeding. Additionally, a coordinated POD concerning fines and remedies was issued in this proceeding, as well as in Investigation (I.) 11-02-016 and I.11-11-009. On October 2, 2014 one party filed an appeal of the decision on violations. Additionally, five parties filed appeals and three Commissioners filed requests for review of the decision on fines and remedies. Responses to the appeals and requests for review were due on October 27, 2014.²

In order to have sufficient time to address all issues raised in the appeals and requests for review, prepare modified PODs, and allow the Commissioners to vote on the modified PODs, an additional extension of the statutory deadline is necessary. The extension is also necessary because of the possibility that a Commissioner will propose a decision different to the POD, as provided in Rule 15.5(b) of the Commission's Rules of Practice and Procedure. Because of these circumstances, we conclude that it is appropriate to extend the 12-month deadline in this case to January 12, 2016.³

¹ We extend the deadline by 12 months as a matter of standard practice.

² Pursuant to Rule 14.4(d) of the Commission's Rules of Practice and Procedures, responses are due 15 days after the date the appeal or request for review is filed, or October 17, 2014. On October 7, 2014, the assigned Administrative Law Judges (ALJ) issued an electronic ruling granting a motion by the Commission's Safety and Enforcement Division to extend the date to file responses. Responses were due on October 27, 2014.

³ We extend the deadline by 12 months as a matter of standard practice.

Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, pursuant to this rule, the otherwise applicable period for public review and comment is waived.

Assignment of Proceeding

Michael Picker is the assigned Commissioner and Mark S. Wetzell is the assigned ALJ in this proceeding.

Findings of Fact

1. This proceeding was initiated on January 12, 2012.
2. Based upon the statutory deadline, this proceeding must be resolved within 12 months of its initiation, unless this date is extended.
3. D.12-09-031 extended the statutory deadline for this proceeding to January 12, 2014 and D.13-10-056 extended the deadline to January 12, 2015.
4. An additional extension of the 12-month deadline is necessary in order to have sufficient time to address all issues raised in the appeals and requests for review, prepare modified PODs, and allow the Commissioners to vote on the modified PODs.

Conclusions of Law

1. The 12-month statutory deadline imposed by Pub. Util. § 1701.2(d) should be extended to January 12, 2016.
2. This order should be effective immediately.

IT IS ORDERED that the 12-month statutory deadline in this proceeding is extended to January 12, 2016.

This order is effective today.

Dated _____, at San Francisco, California.